THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.3022 of 1999

DATED: 05.12.2007

Between:

M. Yedukondalu

.. Petitioner

And

The District Collector, Guntur
and another.

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.3022 of 1999

ORDER:

It appears, the father of the petitioner, by name M.Venkateswarlu, who was working as Attender in the 2nd respondent College, died in harness in the year 1993. Immediately after the death of his father, the petitioner submitted a representation to the management of the 2nd respondent college seeking appointment on compassionate grounds, but as he was minor then, his representation could not be considered. Thereafter, in the year 1998, after attaining the age of majority, the petitioner submitted another representation, dated 22.10.1998, stating that he has attained the age of majority and there was no source of income for his family and requested for providing employment as Attendar, on compassionate grounds. While so, the grievance of the petitioner is that though the 2nd respondent College has recommended his case for appointment to the post of Lab Boy under S.C. category, which is lying vacant, and sought approval of the 1st respondent, vide letter dated 30.11.1998, there is no response from the 1st respondent.

2. In the counter filed on behalf of the 1st respondent, it is categorically stated that as on the date of death of his father, the

petitioner was aged only 13 years and as per the Memo No.618/Services-A/78-11, dated 17.12.1979, issued by the Government, the case of a minor dependant, seeking appointment under compassionate appointment scheme, shall be considered only if he attains the age of majority within two years from the date of demise of the Government servant. Admittedly, the petitioner, who was aged about 13 years at the time of death of his father, did not attain the age of majority within two years of death of his father and has attained the same in the year 1998 i.e. after five years of death of his father. Under those circumstances, furnishing the said reason, the proposal submitted by the 2nd respondent College was returned, vide letter dated 30.01.1999.

3. In view of the averments made in the counter filed on behalf of the 1st respondent, I am of the opinion that the petitioner is not entitled for seeking employment on compassionate grounds in the 2nd respondent College. The writ petition is devoid of merits and is liable to be dismissed.

4. The writ petition is, accordingly, dismissed. No costs.

JUSTICE C.V. RAMULU

5th December, 2007.
IBL